

IDAHO TELEHEALTH COUNCIL

February 13, 2015

Meeting Minutes

ATTENDEES:

LOCATION: 450 W State Street, 10th Floor, Boise, ID

Members Present:

Rhonda Robinson Beale, Blue Cross of Idaho
Tana Cory, Bureau of Occupational Licenses
Kathy McGill, Department of Insurance
Barry Bennett, Idaho Board of Medicine
Nancy Kerr, Idaho Board of Medicine
Stacey Carson – Telehealth Council Chairman, Idaho Hospital Association
Michael Ide, Idaho Primary Care Association
Todd Hurt, Idaho State Hospital North
Mary Sheridan, Department of Health and Welfare, Division of Public Health
Matt Wimmer, Department of Health and Welfare, Division of Medicaid
Casey Meza, Affiliated Health Services, Kootenai Health
David Morledge, Neurostatus, LLC
Becky diVittorio, OptumHealth
Linda Mac Vicar, Pacific Source
Ken Schaecher, Select Health
Michael Meza, Kootenai Health
Tiffany Whitmore Seibert, St. Alphonsus Health System
Paul McPherson, St. Luke's Children's Hospital
Marc Chasin, St. Luke's Health System

Teleconference:

Rick Goodwin, Eastern Idaho Regional Medical Center
Molly Steckel, Idaho Medical Association
Tracey Sessions, Idaho State Hospital South

Members Absent:

Tom Donovan, Department of Insurance
William Ganz, Idaho Board of Medicine
Susan Ault, Idaho Primary Care Association
Michael Bess, OptumHealth
Melissa Christian, Regence BlueShield
Bill Hazle, Stargazers, LLC

DHW Staff Present:

Carla Cerchione, Project Manager, Staff to the Telehealth Council
Cynthia York, Administrator, Staff to the Telehealth Council
Denise Chuckovich, Department of Health and Welfare, Deputy Director

Guests:

Roger Hales, Naylor & Hales, P.C.
Nicole McKay, Office of the Attorney General
Lynsey Winters Juel, Jannus
Katrina Hoff, Jannus
Michael Woodhouse, St. Alphonsus Health System

Sara Bartles, Business Psychology Associates
Steve Rector, Pinnacle Business Group (Teladoc – client)
Tim Olsen, Pinnacle Business Group (Teladoc – client)
Kris Armstrong, Go Telecare
Ross Edmonds, Department of Health and Welfare, Division Administrator Behavioral Health
Kenneth McClure, Givens Pursley

1. Welcome and Introductions – Stacey Carson, Telehealth Council Chair

- ❖ Stacey Carson welcomed everyone. 20 Council Appointees with voting privilege were present.

2. Approve Minutes – Stacey Carson, Telehealth Council Chair

- ❖ Minutes of the 1/16/15 meeting were moved and accepted as prepared.
- ❖ Minutes of the 1/29/15 meeting were moved and accepted with the following revisions:

Discussed addition to Idaho Telehealth Access Act DRAFT language Section 54-5605

Motion: Molly Steckel moved to accept lines 55-65. ~~with the addition of (e) unless further provided by board rule.~~
~~line 65~~

Second: Marc Chasin

Roll Call Vote showed motion carried.

Discussed acceptance of the Idaho Telehealth Access Act DRAFT

Motion: Molly Steckel moved to accept the draft with changes.

Second: Tracey Sessions

~~Motion: Nancy Kerr moved to have further discussion.~~

~~Second: Rick Goodwin~~

The Council felt further discussion was needed.

Molly Steckel withdrew her motion.

3. Introduction of Attorney General – Nicole McKay, Deputy Attorney General

- ❖ Nicole McKay is the Lead Deputy for the Office of the Attorney General. She will be attending future Telehealth Council meetings.

4. Utilizing Telehealth for Pediatric Patients – Paul McPherson MD FAAP, Medical Director, CARES St Luke's Children's Hospital

- ❖ The Council had asked Dr. McPherson to gather this data last fall. Dr. McPherson pointed out that the data is limited in that it comes from St Luke's Health System and the data is from only SW Idaho.
- ❖ [Pediatric Subspecialty Care in Idaho](#)

5. Idaho Telehealth Access Act Update - Stacey Carson, Telehealth Council Chair

- ❖ Representative Rusche decided to RS the draft language that the Council has been working on – his thought being to not let the perfect be the enemy of the good. He was also concerned about other potential bills and running out of time in this session. He believes in the Council's work and is pleased with the progress. The bill has a hearing on Wednesday the 18th at 9:00 (H&W). With no formal position from the Council on this language there will be come challenges.
- ❖ The exception to section 54-5605 that was discussed during the January 29th conference call **(e) unless further provided by board rule** is not in the bill. The Idaho Telehealth Access Act is now [H0098](#). Also introduced is [H0088](#) which requires a physician to conduct an in-person examination and counseling of a pregnant woman prior to prescribing abortion-inducing drugs.
- ❖ The Council must determine their formal position on H098. There are several options:

- 1) The Council could oppose the bill.
- 2) The Council could recommend amendments to Representative Ruschefor for his consideration. The Council should consider if amendments would significantly impact support from stakeholders.
- 3) The Council could take a position of support on the current language and if there are areas the Council still wants to explore for improvement, the Council could continue to work together to revise areas and propose fixes for the next legislative session.

6. Determine Council Recommendations - Stacey Carson, Telehealth Council Chair

Idaho Telehealth Access Act DRAFT language 54-5605

Motion: Ken Schaecher moved to support the removal of “whenever possible” and keep the word “and” in following language. (1) If a provider offering telehealth services in his or her practice does not have an established provider-patient relationship with a person seeking such services, the provider shall take appropriate steps to establish a provider-patient relationship by use of two-way audio **and** visual interaction; provided however, that the applicable Idaho community standard of care must be satisfied.

Second: Barry Bennett

Roll Call Vote showed motion carried.

Stacey described a concern from the Division of Behavioral Health and brought it to the Council for further discussion. There are classes of professionals in Idaho who are not licensed under Title 54 but who are certified by the state or a national certification association. Examples include certified behavior health providers, drug and alcohol counselors, peer specialists, Community Based Rehabilitation Services, etc. There may need to be proposed amendments to H098 to avoid a negative impact to the delivery of behavioral health services in Idaho. The following amendments were offered to assure that the Idaho Telehealth Access Act did not restrict or impact the delivery of behavioral health services in Idaho.

Idaho Telehealth Access Act DRAFT language Sections 54-5603, 54-5604, 54-5605

Motion: Barry Bennett moved to accept the language in Sections 54-5603 and 54-5604 as written.

Second: Casey Meza

Substitute Motion: Matt Wimmer moved to amend the following language:

1. Section 54-5603 (4) “Provider” means a person who is **required to be** licensed pursuant to title 54, Idaho code, to deliver health care consistent with his or her license.

The Council asked Ken McClure to provide language for Section 54-5603.

“Provider” means a person who is licensed, **required to be licensed, or, if located outside of Idaho, would be required to be licensed if located in Idaho**, pursuant to title 54, Idaho Code, to deliver health care consistent with his or her license.

2. Section 54-5603 (6) “Telehealth services” means health care services provided **by a Provider** to a person through the use of electronic communications, information technology, asynchronous store and forward transfer to synchronous interaction between a provider at a distant site and a patient at an originating site.
3. Section 54-5605 (3) Removal of section (3) Nothing in this section shall prohibit or restrict certified drug and alcohol counselors or crisis centers from performing authorized services by telephone.

Barry Bennett agreed to the amendment.

Roll Call Vote showed motion carried.

Idaho Telehealth Access Act DRAFT language Section 54-5604

Motion: Casey Meza moved to remove the following sentence: A person must be a provider as defined in section 54-5603, Idaho Code, to offer telehealth services as part of his or her practice.

Second: David Morledge

Roll Call Vote showed the motion carried.

Idaho Telehealth Access Act DRAFT Acceptance of the Idaho Telehealth Access Act DRAFT with the agreed upon revisions.

Motion: Marc Chasin moved to accept and take a formal position of support for the Idaho Telehealth Access Act language (H098) as revised.

Second: Ken Schaecher

Roll Call Vote showed the motion carried.

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- ❖ Tana Cory, representative from the Bureau of Occupational Licenses requested the minutes reflect that some boards may disagree with the decision to not include the language ***(e) unless further provided by board rule.***

7. SHIP/IHC Update and Idaho Telehealth Council Future – Denise Chuckovich, Department of Health and Welfare, Deputy Director

- ❖ Denise Chuckovich will send an update in writing for distribution to the Council.
- ❖ Both items will be added to the March agenda.

With no further business to come before the Council, Chairman Carson adjourned the meeting at 1:10 p.m. without objection.